


SESSION WEEKLY

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on your street:
Thank LGA**

TALKIN' BASEBALL

HEALTH OF HUMAN SERVICES

ACCESSIBILITY FOR ALL

'OMNI' FEST BEGINS

HF2203 - HF2276

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 Legislative Session, each issue reports House action between Thursdays of each week, lists bill introductions and provides other information. No fee.

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On the cover: St. Paul Police Sgt. Craig E. Nelson spends his March 26 lunch break on the Capitol steps as part of an LGA Rally to show his support for continued local government aid levels.

— Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

People who end up in emergency rooms many times are uninsured. This cost is covered by the hospital. Health care reform advocates say cost efficiencies would be achieved by providing coverage that would keep people out of emergency facilities.

Complex problem, complex solution

Cuts to health and human services could create reform opportunity

By PATTY OSTBERG

Sleep has become a struggle for Rep. Thomas Huntley. The Legislature is facing the difficult decision of how to cut funds from health and human services programs, while maximizing the \$1.8 billion federal stimulus money coming to the state.

Knowing that service cuts will hurt somebody, the Duluth DFLer said the thought keeps him up some nights. “Some people think raising taxes will help, if we had a Democratic governor we could not raise enough taxes to fix our problem.”

Between funding formulas for hospitals, qualifying federal factors and how the state pays providers for medical care, the choices on how to shift or cut costs can be daunting. “It’s one of the most complex things we’ll ever deal

with,” said Huntley, chairman of the House Health Care and Human Services Finance Division.

“Obviously there’s going to be cuts to the health and human services area, it’s 30 percent of the state’s budget. About 75 percent of that money is for Medical Assistance,” explained Huntley. The other 25 percent is used mostly by counties for mental health and chemical dependency.

Tough decisions

At the root of the cuts are some of Minnesota’s most vulnerable people, like elderly in nursing homes and the disabled. According to the Human Services Department, the state funds three public health care programs: Medical Assistance, MinnesotaCare and General Assistance Medical Care. The programs provide coverage for about 666,000 Minnesotans with about half of the enrollees being children under age 21.

Two ways to make reductions are removing specific benefits provided in public programs and reducing provider reimbursements from the state.

The governor’s most recent proposal eliminates basic care benefits for public programs, such as dental services, physical therapy, occupational therapy and podiatry. Huntley doesn’t like this at all and calls the

First Reading continued on page 4

services “an integral part of medical care.”

Huntley said the governor’s January proposal dropped 113,000 adults from health care coverage. “The people don’t go away, and in many cases if they have a chronic illness, in three months their chronic illness is out of control and they end up in a long-term care facility.”

That leaves the second option of cutting reimbursement rates to providers, which doesn’t violate any federal strings, he said.

But, if the uninsured end up in the emergency room they get treated and the hospital loses money because that person can’t pay their bills. What should be a state cost gets shifted to hospitals, he said.

Hospitals used to be able to raise their rates, but they are having a hard time doing that with the recession. “There will be hospitals that go under if we make the cuts in the governor’s proposal,” Huntley said. Cuts have to be made, but “the question is how big they are.”

Cost of total care

The House proposal will be worked on over the next few weeks in the finance division. “My goal is to protect institutions that might collapse during this two- or three-year period,” Huntley said.

Many of those are clinics and hospitals that have a high percentage of low-income people using the facilities. “We are going to have to cut what providers get paid — and that’s doctors, physical therapists, nursing home workers — and we’ll have to put some limits on services,” he said.

Part of the difficulty is figuring out how the state programs qualify within the federal guidelines for the stimulus money. The guidelines were released March 25.

Jayne Rankin, budget director of the Human Services Department, told the finance division March 30 that the state would begin drawing down the stimulus money in the next month. Part of the qualifications include that the state can’t change eligibility for programs,



PHOTO BY ANDREW VONBANK

Rep. Thomas Huntley chairs the House Health Care and Human Services Finance Division.

the funds can’t be deposited into a reserve account and the state can’t increase local shares of program costs, she said.

There are many strings attached to the \$1.8 billion in federal funds, and most of it is required to go toward caring for patients on Medical Assistance, including the elderly and those in nursing homes; hospital payments; and health care for people with disabilities, Huntley said.


Part of the problem is Minnesota manages its health care better than most states; but those efficiencies result in less federal money. “We need to be rewarded for being good,” Huntley said.

Health care reform laws passed in 2008 changed how the state handles managed care for those on public assistance, resulting in about a 12 percent savings. The initial proposal that wasn’t signed by the governor would have saved 20 percent, Huntley said, adding the proposal is likely to be offered again this year.

Those additional savings could come from a “total cost of care” approach, where hospitals and clinics coordinate an integrated delivery system. Providers would be given a fixed amount of money to care for patients with certain diseases and they could determine how to provide care according to that amount.

Huntley said the health reform changes from last session put the state well on its way to national health care reform.

“The only thing that keeps me going is the national health care reform I think is gonna happen,” Huntley said. Although it won’t happen in time to fix our budget this year, he added.

Cost control is the biggest step, and that is exactly where the state has been heading with health care reform. You have to pay for value and reward providers for keeping people healthy and out of the hospital. Currently our health care system rewards for treating people who are very sick, he said. 

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Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held March 26-April 2. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

AGRICULTURE

Leased farmland could be sold

A total of 5,000 acres of state land leased for agricultural use could go on the selling block.

HF1020, sponsored by Rep. Steve Drazkowski (R-Wabasha), could net the state an estimated \$8.5 million through the sale of land in the following counties: Aitkin, Becker, Beltrami, Cass, Clearwater, Crow Wing, Faribault, Fillmore, Goodhue, Houston, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnomon, Marshall, Mille Lacs, Pine, Polk, Roseau, Wabasha, Winona and Yellow Medicine. In addition, single parcels in Morrison, Olmsted, Red Lake, St. Louis and Swift counties would also be up for grabs.

The House Game, Fish and Forestry

Division held the bill over March 30 for possible inclusion in its omnibus bill. It has no Senate companion.

The bill includes the sale of parcels that include mineral rights, which the Department of Natural Resources objects to selling because the properties could be worth millions of dollars if mined.

Other parcels will have to be removed from consideration because they are included in the School Land Trust Fund, said Marty Vadis, director of the Division of Lands and Minerals. Those remaining would be sold to the highest bidder at public auction and not limited to their appraised value.

Rep. Brita Sailer (DFL-Park Rapids) said given the current economy, it may not be feasible for the farmers who currently lease the agricultural land to purchase it at auction. Sailer said she'd like to hear from more than the three lessees that Drazkowski said were in favor of the bill.

— S. HEGARTY

Extending farm mediation law

A bill expected to sunset in 1988 still sees the light of day, and could have its life extended.

The state's agriculture economy was in crisis

Spring break

In observance of Passover and Easter, there will be no House floor sessions or committee hearings Wednesday, April 8 through Monday, April 13. House offices will be closed on Friday, April 10.

in 1986 when the Farmer-Lender Mediation Act was enacted, along with other initiatives to help farmers weather the bad times. The provision remains viable because every two years the Legislature extends its expiration date.

Rep. Al Juhnke (DFL-Willmar) sponsors HF841, which would extend the law's sunset date to June 30, 2013. It was held over March 31 by the House Agriculture, Rural Economies and Veterans Affairs Committee for possible omnibus bill inclusion.

In 2008, more than 2,000 cases were opened to negotiate \$156.3 million in farm debt, said Dick Senese, associate dean with University of Minnesota Extension, the agency that administers the program.

He said the average farm debtor seeking mediation service is 53 years old; has owned the land for 22 years; has an average net worth

WIND AND RAIN



PHOTO BY TOM OLMSCHIED

With umbrella and coffee in hand, Kevin Olson fights the morning wind and rain as he makes his way up the front steps of the Capitol March 31. The Twin Cities avoided a late-season snowstorm that added to difficulties for cities along the flooded Red River.

of \$698,662; has an average agriculture debt of approximately \$273,521; a median non-farm income of \$34,074; and a median annual living expenses of \$37,241.

Senese said that in 2008, statistics show that implement dealers and banks were owed the greatest amount by farm debtors.

Through the program, a creditor with a secured debt of more than \$5,000 against an agricultural property must offer farmer-lender mediation before proceeding with foreclosure, repossession, contract cancellation or collection of a judgment.

Several members and testifiers said if the service is meant to address emergency situations, the threshold does not adequately reflect the cost of doing business and should be raised.

Others said that many new farmers are opting for smaller operations where a debt that size could be catastrophic. Juhnke said by extending the sunset, the Legislature would buy time to revisit the threshold.

A companion, SF289, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Judiciary Committee.

— L. SCHUTZ

BONDING

Bonding bill heads to floor

A bill containing \$13 million for flood mitigation is headed to the House floor.

The \$247.6 million omnibus capital investment bill, HF855, sponsored by Rep. Alice Hausman (DFL-St. Paul), would provide \$55 million for the Minnesota State Colleges and Universities system, \$29.5 million for the Department of Transportation and \$23 million for the University of Minnesota. Of the total, \$200 million would be general obligation bonding.

Hausman, chairwoman of the House Capital Investment Finance Division, said she focused on projects that would help get people to work right away.

"I would have preferred a much larger bill," she said during a March 31 division hearing, but added that the state's budget problems prompted a restraint in borrowing.

Rep. Morrie Lanning (R-Moorhead) said the nearly \$13 million for flood mitigation is inadequate, adding that he and other members representing the Red River Valley would be bringing a recovery bill forward in the near future to deal with current flood damage.

"I don't begin to think we have the money to fund the floods going on right now," Hausman said.

During a House Ways and Means Committee hearing on the bill April 1, Rep. Kent Eken



PHOTO BY TOM OLMSCHIED

People reach to grab a copy of the House bonding proposal prior to the start of the March 30 House Capital Investment Finance Division hearing.

(DFL-Twin Valley) successfully amended the bill to include the city of St. Vincent, which is located on the Red River, for flood hazard mitigation grants.

The bill would also provide:

- \$24 million for the Department of Human Services, including \$20 million for an expansion of the sex offender program in Moose Lake;
- \$5 million to the Department of Corrections for asset preservation;
- \$4 million to the Housing Finance Agency for public housing; and
- \$3.6 million to the Department of Military Affairs for asset preservation.

The Senate's \$329 million omnibus capital investment bill, SF781, sponsored by Sen. Keith Langseth (DFL-Glyndon), was passed 56-8 on March 16. A conference committee is expected to work out the differences.

— S. HEGMAN

BUDGET

Committees receive spending targets

Now that a target is known, the real work of the session can begin — setting spending priorities and balancing the budget for the 2010-2011 biennium.

A resolution limiting General Fund expenditures to \$30.6 billion over the next fiscal two years was approved March 27 by the House Ways and Means Committee.

Including an expected \$816 million from the federal stimulus package to stabilize the budget, total expenditures reflect a 4.9 percent spending increase over the current biennium.

Rep. Loren Solberg (DFL-Grand Rapids),

the committee chairman, said the resolution also lays out the plan for a balanced budget for the 2012-2013 biennium, as required by a new law.

"Developing the budget resolution, particularly in this session is extremely difficult," Solberg said. The spending proposals reflect the input heard during the community meetings on the budget, where he said people understood there are "going to be cuts, and there is going to be revenue increases and there is going to be some shifts."

The February Forecast projects \$30.7 billion in revenue for the 2010-2011 biennium, which the House incorporates into its budget, along with use of \$219 million in carryover funds from fiscal year 2009.

Solberg said the House proposal would increase the state's budget reserve to \$250 million; support \$350 million for the cash flow account; and would leave an \$18.9 million balance on the bottom line at the end of the biennium.

The budget calls for \$1.5 billion in new revenue, which will be determined by the House Taxes Committee. In addition, \$1.8 billion in payment shifts is also proposed.

With spending targets in hand, the various House finance divisions will begin prioritizing their programming. It was noted that education, from pre-school through higher education, is held harmless in the two biennia. However, other state programming would see cuts of approximately \$1.6 billion. A concurrent resolution passed earlier this session requires House and Senate finance divisions to act favorably on omnibus appropriation bills by April 16.

Solberg said committees have flexibility with prioritizing programming, but they will

need to stay within their targets. He cautioned that because use of stimulus money is still being clarified, there may need to be target adjustments in the coming weeks.

The governor's spending plan comes in at approximately \$32.4 billion over the biennium. It reflects a 4 percent decrease from the \$33.9 billion in General Fund expenditures in the current biennium. It provides for no new taxes, but revenue from the sale of bonds and some payment shifts. The Senate proposes a 7 percent across-the-board spending cut, along with \$2 billion in new revenue.

— L. SCHUTZ

BUSINESS

Pet breeder bill tabled

A controversial proposal for stricter regulations of commercial dog and cat breeders met stiff opposition from the House Agriculture, Rural Economies and Veterans Affairs Committee March 27, and was tabled by an 8-0 roll call vote.

HF253, sponsored by Rep. Tom Tillberry (DFL-Fridley), made its way through two committees before opponents were successful in derailing its progress because of several concerns; among them that it would violate the Fourth Amendment to the U.S. Constitution regarding search and seizure.

The bill would provide state licensing and inspection procedures, additional standards of care, and administrative and criminal penalties for dog and cat breeders.

Keith Streff, director of humane investigations with the Animal Humane Society in Golden Valley, said current federal regulations are inadequate, and there are no state laws for dog and cat breeding.

But Frank Lanasa, president of the Minnesota Federation of Field Trail Clubs Inc., said the proposed regulations are unnecessary and the marketing of the bill has "trashed the character" of a whole industry of retail breeders.

The companion, SF7, sponsored by Sen. Don Betzold (DFL-Fridley), was tabled by the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

CONSUMERS

BPA-free baby bottles

Within the next two years, some children's products such as bottles and sippy cups that contain the chemical Bisphenol-A, or BPA, could be off Minnesota store shelves.

Rep. Karen Clark (DFL-Mpls) sponsors HF326, which, in its original version, would have prohibited the chemical's use in more products including toys, teething products and infant formula containers. Clark amended the bill to narrow its scope and incorporate some retailers' and manufacturers' concerns.

The bill would ban manufacturers from selling children's products intended for use by children age 3 or younger that contain

BPA after Jan. 1, 2010, and retailers from selling them after Jan. 1, 2011. It was approved March 25 by the House Labor and Consumer Protection Division and March 30 by the House Commerce and Labor Committee, which sent it to the House floor.

In testimony one week earlier, Lindsay Dahl, policy and media coordinator with the Healthy Legacy Program of the Institute for Agriculture and Trade Policy, said that numerous peer-reviewed research studies have found BPA to be a carcinogen and endocrine disruptor. Its use in baby products is banned in Canada, and 14 other states are looking at a ban.

Testifying on behalf of the American Chemistry Council, Steven Hentges rejected Dahl's claims. He said international testing companies have not found BPA to be risky, and that European Union countries and regulating agencies have "found no reason to take action on BPA." He said the Canadian ban is only precautionary, not based on definitive evidence of risk. He also said manufacturing substitutes for BPA have not been as thoroughly tested as BPA.

BPA is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans.

Rep. Patti Fritz (DFL-Faribault) said that as a nurse and a grandmother she wouldn't buy products containing BPA. "The world may not think this is harmful, but here in Minnesota with my own grandchildren I feel I could not purchase something with that in it today."

Some substitutes for products made with BPA are safe, but expensive, such as those made from plant-based materials, or breakable, such as glass.

— K. BERGGREN

Notice of mulch hazard to pets

Terry Hall hopes that others don't have to suffer the loss of a pet by placing what appears to be harmless mulch on their property.

Moose, Hall's 105-pound healthy chocolate Labrador retriever, died suddenly after ingesting cocoa bean shell mulch. Since that time, Hall has waged a campaign of consumer awareness, hoping for a notice requirement to be placed on the product that unprocessed cocoa bean shell mulch could be poisonous to pets, and provide a toll-free phone number for the Animal Poison Control Center.

Rep. Frank Hornstein (DFL-Mpls) sponsors HF1306 that would provide the notice.

"We are simply asking that you make consumers aware of this. ... It is an avoidable situation," Hall told the House Commerce and Labor Committee March 31.

In a letter to the committee, Moose's veterinarian said toxicology tests showed a significant presence of caffeine and



PHOTO BY ANDREW VONBANK

Sadie, an 8-week-old yellow Labrador, listens to testimony in the House Agriculture, Rural Economies and Veterans Affairs Committee March 27 with her owner, Rep. Joe Hoppe, during debate on a bill that would provide dog and cat breeder standards of care.

theobromine from the mulch in the dog's system and determined it was the likely cause of death.

The bill would require a posted notice wherever the product is sold warning that ingestion of the mulch could be poisonous to pets.

Rep. Cy Thao (DFL-St. Paul) cautioned that this could lead to placing labels on just about every product that could be harmful to pets.

Hall countered, "I think there is a bigger issue; there are a lot of folks out there that don't know the product is dangerous."

The bill now awaits action on the House floor. The companion, SF122, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the full Senate.

— L. SCHUTZ

DEVELOPMENT

Loans for rural businesses

A program designed to boost economic development in Greater Minnesota by providing capital for business loans won approval from a House division March 31.

HF1948, sponsored by Rep. Larry Haws (DFL-St. Cloud), would appropriate \$12 million for loans to new and expanding businesses outside the Twin Cities metropolitan area. The program would be run through the six Minnesota Initiative Foundations — economic development nonprofits created in 1986 by the philanthropic McKnight Foundation.

Tom Renier, president of the Duluth-based Northland Foundation, explained that the initiative foundations often step in to provide lending to businesses when local banks can't. He said the loans provided under the proposed program would supplement other loans from the federal government and various private funding sources.

"This is a long-term investment that will reap benefits to the state of Minnesota and be paid back," Renier said.

Under the bill's provisions, the Department of Employment and Economic Development would provide up to \$2 million from the fund to each foundation. The foundations would then use the money to provide business loans and would be required to pay back the state within 10 years. A 1 percent interest rate would be charged.

Rep. Joyce Peppin (R-Rogers) likes the idea, but questioned whether a \$12 million loan program would be feasible as lawmakers confront a \$4.6 billion state budget deficit. Haws responded that the tough economic times are precisely the reason the state needs a loan program to help businesses grow.

The House Bioscience and Workforce Development Policy and Oversight Division approved the bill and referred it to the House Higher Education and Workforce Development Finance and Policy Division.

A companion, SF1463, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

EDUCATION

Early childhood stimulus proposals

Two bills proposing ways to spend federal stimulus funds on child care, pre-kindergarten exploratory projects, quality improvements and after-school programs were laid over by the House Early Childhood Finance and

BELL RINGERS



PHOTO BY TOM OLMSCHEID

Ramsey International Fine Arts Center students Tommy Gennaula, from left, Liam Brindley and Jackie Rodewald-Jones present a bundle of letters to Gov. Pawlenty's receptionist Carol Ness March 31. The letters are in support of the University of Minnesota's Bell Museum being part of this year's bonding bill.

Policy Division March 31 for possible omnibus bill inclusion.

Rep. Nora Slawik (DFL-Maplewood) sponsors HF2088, which proposes spending on eight child care funding and quality improvement programs, including increasing child care assistance maximum rates. The bill would increase child care provider maximum reimbursement rates by 2 percent beginning July 1, 2009. It would also appropriate a yet-unspecified amount to a program to help child care providers prepare to apply for the Parent Aware quality rating system.

Slawik said \$26 million in federal stimulus funds is available for early learning and child care programs, of which \$3.4 million is designated for quality improvements. Parent Aware, now a pilot program in the cities of Minneapolis, St. Paul, Wayzata, and Blue Earth and Nicollet counties, is expected to be the model for a voluntary statewide quality rating program.

Its companion, SF1926, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Health and Human Services Budget Division.

Sponsored by Rep. David Bly (DFL-Northfield), HF2202 would appropriate \$10 million in federal stimulus money in fiscal year 2010 for After-School Community Learning Grants.

Youth Community Connections Executive Director Laura LaCroix-Dalluhn said the grants now fund 26 after-school programs serving about 9,000 students, and that 86 percent have a focus on improving academic achievement through homework help and mentoring. Specific amounts from the federal stimulus act are not yet determined for such programs.

Its companion, SF1997, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Support for college aspiration

Minnesota high school juniors and seniors could have an additional option to advance their education.

Rep. Pat Garofalo (R-Farmington) sponsors HF1177, which would create an early graduation achievement scholarship program. Students who graduate one semester early could earn \$2,500; \$5,000 if they graduate two semesters early; or \$7,500 for three semesters. The scholarship would be good at any accredited higher education institution.

Garofalo told members of the House K-12 Education Finance Division the bill could help make college more affordable for students and would save school districts money. The bill

was laid over March 31 for possible inclusion in the division's omnibus bill.

It is estimated that 8 percent of high school seniors, or about 5,300 to 5,500 students a year, might take advantage of the opportunity. Garofalo said his plan has "curb appeal" because it translates into direct savings on college costs, is simpler to navigate and available to any student, which isn't always the case with other programs such as Advanced Placement or College in the Schools.

Its companion, SF1977, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate E-12 Education Budget and Policy Division.

The division also heard HF1702, sponsored by Rep. Jim Davnie (DFL-Mpls), which would repeal the existing funding formula for concurrent enrollment programs but add them to the same funding pool as two other popular options for students interested in high-level academics, Advanced Placement and International Baccalaureate programs. Concurrent enrollment programs are those in which high school teachers offer college level classes to high school students with the guidance of a higher education institutions.

The division laid the bill over March 31 for possible omnibus bill inclusion. Its companion, SF1595, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Preserving indigenous languages

There are just six fully fluent Dakota language speakers, and perhaps 100 such Ojibwe speakers in Minnesota, according to Marisa Carr, an Ojibwe language immersion teacher.

The youngest is 61 years old.

Rep. Kent Eken (DFL-Twin Valley) sponsors HF1240, which would establish a volunteer working group on revitalizing and preserving those indigenous Minnesota languages. The group would include members from each of the 11 federally recognized tribes in the state, representatives from various education entities, the Minnesota Historical Society and the Legislature. It would examine existing language programs and resources across the education spectrum and determine the viability of training teachers, developing a curriculum and creating a formal immersion or other learning program. The \$150,000 cost would come from the arts and cultural heritage fund.

Carr said movements to teach native languages such as Maori and Hawaiian elsewhere have had positive academic and social effects among learners, but there are "few, if any, certified



PHOTO BY TOM OLMSCHEID

Lillian Stand, back, and Lillian Rice of Wicoie Nandagikendan, an early childhood language immersion program, asked members of the House K-12 Education Policy and Oversight Committee March 27 to support the preservation of indigenous languages in Minnesota by establishing a volunteer working group to assess the health of the Ojibwe and Dakota languages.

teachers fluent enough" in Dakota or Ojibwe, the two indigenous languages of Minnesota, to teach in a full-day immersion program. Creating written materials from the oral languages is a challenge, too.

The hearing room hushed as Indian elders spoke of the urgency to the House K-12 Education Policy and Oversight Committee.

"I've often heard the word that when an elder passes away, it's a whole dictionary that's gone," said Lillian Rice, who is trilingual in Potawatomi, Ojibwe and English, and works with children and some adult learners. "We are doing the best that we can and we are working as hard as we can to help them learn the language. Because our language is our very sense of who we are, in our ceremonies, our values, our way of life. Without that, we're lost."

The committee approved the bill March 27 and sent it to the House K-12 Education Finance Division, recommending it be referred to the House Cultural and Outdoor Resources Finance Division. Its companion, SF1256, sponsored by Sen. Mary Olson (DFL-Bemidji) awaits action by the Senate Finance Committee.

— K. BERGGREN

Remedial math for school funding

Lawmakers are promoting remedial math — not only for students, but for the education funding formula they say isn't adding up for many Minnesota school districts.

Rep. Mark Buesgens (R-Jordan) sponsors HF1376, which would change the compensatory revenue category based on numbers of students eligible for free or reduced-cost lunch to a remedial revenue program based on numbers of certain students requiring academic remediation.

The proposal would allocate the same per-pupil amount for each eligible student, eliminating the concentration factor that generates more revenue for districts such as Minneapolis and St. Paul, which have more school sites with higher percentages of eligible students than most suburban or rural districts. Currently the same student might generate \$100 at a low-percentage site but \$2,500 at a high-percentage site.

"There needs to be a little more logic placed on how we fund schools and some fairness and balance throughout," Buesgens told the House K-12 Education Finance Division March 26.

In the current site-based system, said Rep. Pat Garofalo (R-Farmington), "We are actually building an incentive into the program for districts to draw their attendance boundaries in a manner that crams all the poor kids into one school."

Garofalo and Buesgens said they are unaware of any other state using the concentration factor to the extent Minnesota does.

St. Paul Public Schools' lobbyist Mary Gilbert said she "respectfully disagrees" with the premise that all need is equivalent.

"There is a difference between poor people and people in poverty," Gilbert said, because urban families often face acute destabilizing factors, such as lack of adequate housing, health care and family literacy with less access to helpful resources, such as extended family and church or community support, than families in small town or rural areas.

The division laid the bill over for possible omnibus bill inclusion. It has no Senate companion.

— K. BERGGREN

Safer schools for all learners

School boards must adopt written sexual, religious, racial harassment and violence policies that conform with the Minnesota Human Rights Act.

A bill would expand current law by enumerating specific characteristics of people who could be targets of bullies, including disability, socioeconomic status, sexual orientation, gender identity or expression or associating with others with those characteristics.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF1198 would add bullying, intimidation and hazing, including their electronic and Internet-based forms, to prohibited actions. It would require teachers to be trained to implement district policies and respond to bullying or harassment, without specifying a particular training.

The K-12 Education Policy and Oversight Committee approved the bill April 2 and sent it to the House floor. Its companion, SF971, sponsored by Sen. D. Scott Dibble (DFL-Mpls) awaits action on the Senate floor.

Advocates of people with disabilities, gay rights and racial minorities expressed support for the bill. However, some parents said specifying sexual orientation or gender identity or expression could ultimately promote beliefs they don't share.

Perpich Center for Arts Education senior Andy Berlin, who is gay, said that from sixth to eighth grade he was the target of homophobic slurs, physical harassment and intimidation

at a former school. He felt "humiliated and depressed," skipped school often and couldn't concentrate on his school work. He found few allies among school staff, and eventually transferred to Perpich where his grades improved and he feels respected.

Opponents said the bill represents the agenda of gay rights groups and fear school curricula could supplant parental rights to teach their children about sexuality.

Lesley Chaudry, whose children attend Hale School in Minneapolis, said materials used in a pilot diversity curriculum sponsored by Rainbow Families were "intended to indoctrinate young children to accept homosexual marriage," which counters her family's Muslim beliefs. She said her opposition to the curriculum made her the target of harassment when her sidewalk was defaced with graffiti, the school principal publicly chastised her and others called her "gay-basher."

Rep. Randy Demmer (R-Hayfield) worried that very specific language could be a "trip wire" for school and staff liability.

— K. BERGGREN

ELECTIONS

Felon voting rights

Convicted felons have their right to vote restored after they serve out their sentence and finish any parole or probation; however, they're not always told about it. Rep. Bobby Joe Champion (DFL-Mpls) wants to make sure someone tells them their right to vote is restored.

HF545 would require Department of Corrections officials to notify individuals charged with a felony that a guilty plea or conviction will result in the loss of their civil rights, including the right to vote. Upon having their sentences fully discharged, they would be notified that the right has been restored.

Andre Corbett, a former inmate who now runs a Goodwill Easter Seals job readiness program for ex-offenders, said that although they are to receive notification of their civil rights status in a letter after being discharged, many ex-offenders never get the letter because they are frequently moving and living with friends and relatives.

The Office of the Secretary of State supports the bill, as it supports any effort to inform voters of their rights, said Beth Fraser, the office's director of governmental affairs; meanwhile, Barbara Cox, director of government relations for the DOC, said the department is neutral on the bill.

Rep. Steve Gottwalt (R-St. Cloud) joined



PHOTO BY TOM OLMSCHEID

Perpich Center for Arts Education senior Andy Berlin told the House K-12 Education Policy Committee April 1 that he was the target of homophobic slurs, physical harassment and intimidation before being accepted at his current school.

several members in opposing the bill, arguing it is unnecessary since the information is already provided to offenders.

“Government already gives notice to them in the discharge order, and I don’t assume that felons or anybody coming out of jail is necessarily ignorant,” Gottwalt said.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill on a 9-7 vote March 26. Approved April 2 by the House Public Safety Policy and Oversight Committee, it now awaits action on the House floor.

Sen. Mee Moua (DFL-St. Paul) sponsors the companion, SF763, which awaits action by the full Senate.

— N. BUSSE

EMPLOYMENT

Youth programs funding favored

They didn’t fare well in Gov. Tim Pawlenty’s budget proposals, but several grant programs for workforce training and youth initiatives may still see their funding survive.

Members of a House division might vote to maintain or even increase funding for grants to the Minnesota Alliance of Boys & Girls Clubs, the Minnesota Inventors Congress and other organizations that were cut out of Pawlenty’s budget recommendations.

The House Higher Education and Workforce Development Finance and Policy Division held hearings March 26 and March 31 on bills that would fund various Department of Employment and Economic Development grant programs. Division Chairman Rep. Tom Rukavina (DFL-Virginia) laid them over for possible inclusion in the division’s omnibus finance bill.

The Boys and Girls Clubs, which saw their entire \$2 million state appropriation cut in the governor’s recommendations, would be restored to \$1.8 million under HF1104, sponsored by Rep. Larry Haws (DFL-St. Cloud). The money would go to fund job skills training programs for young people from mostly ethnic minorities. Sen. Rod Skoe (DFL-Clearbrook) sponsors the companion, SF1207, which has been laid over for possible omnibus bill inclusion by the Senate Economic Development and Housing Budget Division.

Haws also sponsors HF1901 that would authorize \$3.5 million per year in grants for the Minnesota Youth Program, which currently receives \$3.3 million. That bill has no Senate companion.

HF939, sponsored by Rep. Tim Mahoney (DFL-St. Paul), would increase biennial funding for Twin Cities RISE! from \$910,000

to \$1.3 million. Funding for the program, which provides job training and placement to low-income adults and “hard-to-train” populations like ex-offenders, would be reduced to \$700,000 under Pawlenty’s proposals. Senate President James Metzen (DFL-South St. Paul) sponsors the companion, SF792, which has been laid over for possible omnibus bill inclusion by the Senate Economic Development and Housing Budget Division.

Rep. Paul Torkelson (R-Nelson Township) sponsors HF1587 that would restore \$170,000 in funding to the Minnesota Inventors Congress that was completely cut from the governor’s budget. Sen. Dennis Frederickson (R-New Ulm) sponsors the companion, SF1039, which awaits action by the Senate Economic Development and Housing Budget Division.

— N. BUSSE

ENERGY

Nuclear moratorium remains

A House division defeated a bill that would have opened a closed door for additional nuclear power plants in Minnesota.

After two evenings of public testimony on HF1091, the House Energy Finance and Policy Division voted 12-9 March 26, largely along party lines, to keep the current moratorium in place. On a roll-call vote, DFLers rejected the bill, with the exception of Rep. Joe Atkins (DFL-Inver Grove Heights). A companion, SF1078, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), the bill was supported by local union laborers who said a new plant would create thousands of new jobs.

But a larger issue kept many from supporting the proposal: what to do with 66,000 tons of America’s nuclear waste that is being stored at 120 locations in 39 states. With no deep geological depository on the horizon to house the radioactive material, the waste keeps piling up at Minnesota’s two nuclear power plants in Monticello and Prairie Island.

Arjun Makhijani, president of the Institute for Energy and Environmental Research, told a joint meeting of the division with the Legislative Energy Commission and the Senate Energy, Utilities, Technology, and Communications Committee March 25 that the only lesson to learn from France, which transferred nearly all of its energy production to nuclear within a 25-year period, is to stay focused on a course of action. Makhijani said Minnesota should focus on research and

development for alternative fuels. “We cannot afford to be intellectually lazy,” he said.

Division Chairman Rep. Bill Hilty (DFL-Finlayson) agreed with Makhijani. “If we imply that we have an immediate nuclear energy future in Minnesota it will be a distraction from the course that we have ... put Minnesota on to develop its own renewable resources to the greatest extent that we can. The utilities all find that challenging, but they’re doing it. Let’s keep focused on the path that we have already started,” he said.

— S. HEGARTY

ENVIRONMENT

Water fund distribution proposed

With an anticipated \$158 million flowing into the Clean Water Fund during the next biennium from increased sales tax revenues, Rep. Kent Eken (DFL-Twin Valley) sponsors a bill that would distribute \$151 million of the funds to state agencies.

The House Environment and Natural Resources Finance Division held the bill over April 1 for possible omnibus bill inclusion.

As proposed, HF2128 would appropriate the money as follows:

- Board of Water and Soil Resources would receive \$50.5 million for targeted nonpoint source pollution reduction grant projects, technical assistance and engineering grants, county subsurface sewage treatment system grants, feedlot water quality grants, nonpoint source protection activities, and grants for shoreland and roadside protection and restoration projects;
- Public Facilities Authority would receive \$46.2 million for total maximum daily load grants, phosphorus reduction grants, loans and grants for small community wastewater treatment, and for technical assistance to small community grant recipients;
- Pollution Control Agency would receive \$35.96 million for a statewide assessment of surface water, TMDL plans for impaired waters, civic engagement in TMDL development/implementation, groundwater assessment, drinking water protection and endocrine disruptor monitoring/analysis;
- Department of Agriculture would receive \$7.2 million for evaluating and monitoring agricultural practices, TMDL development, a best management practices loan program, pesticide monitoring/assessment, groundwater assessment and drinking water protection activities;
- Department of Natural Resources would receive \$7 million to assist in identifying impaired waters, TMDL development/

SRI LANKA GENOCIDE



PHOTO BY TOM OLMSCHIED

Supporters of stopping the genocide on the Tamil community in Sri Lanka by the Sinhalese-dominated government marched in the Rotunda April 1.

implementation, restoration/protection of nonpoint source pollution, ground-water assessment and drinking water protection;

- Department of Health would receive \$3.25 million to assess drinking water contaminants and to conduct activities to protect water at its source; and
- Metropolitan Council would receive \$739,000 to implement its master water supply plan.

Though the bill has wide support from the recipient agencies, the Minnesota Farm Bureau and Minnesota Chamber of Commerce, some legislators cautioned about spending the funds for regulatory expenditures. They note the constitutional amendment approved by the majority of state voters in November, requires that spending supplant, and not substitute, money already being spent to “protect, enhance and restore water quality in lakes, rivers and streams and to protect groundwater from degradation.”

A companion, SF1913, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGARTY

Driveway sealant questioned

A chemical found in some blacktop sealants has been linked to hazardous waste discovered in a White Bear Lake storm water pond, resulting in proposed legislation to ban the purchase of the product by state agencies.

HF1991, sponsored by Rep. Bev Scalze (DFL-Little Canada), would prohibit the state from using undiluted coal tar sealant on surfaces, such as driveways and parking lots, unless it has been mixed with asphalt because it contains high levels of polycyclic aromatic hydrocarbons.

Storm water washes the sealant, commonly used on residential driveways, into sewer systems and nearby retention ponds where the chemical collects at the bottom of the water bodies. The White Bear Lake pond cost \$500,000 to clean up.

“There’s many cities that are going to have to deal with this in the future,” Scalze said.

The House Environment Policy and Oversight Committee approved the bill March 26 and referred it to the House Environment and Natural Resources Finance Division. It has no Senate companion.

The bill also would appropriate \$155,000

from the Clean Water Fund for the Pollution Control Agency to develop a cleanup plan for all storm water ponds under its jurisdiction that are found to contain the contaminated sludge.

After the PCA has studied the problem, Scalze expects additional legislation may be needed next year to ban the coal tar sealants. For now, her current bill gives “due process” to developing a best management process for dealing with the problem.

— S. HEGARTY

Shoreland property rules modified

Shoreland property owners who want to build or rebuild on their land could be helped by HF519. The bill is the result of key players building consensus between property owners and state and local governments charged with protecting lakes, rivers and streams.

The House Environment Policy and Oversight Committee approved the bill March 26 and sent it to the House floor. A companion, SF747, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Environment and Natural Resources Committee.

Without the legislation, sponsored by Rep.

Mike Nelson (DFL-Brooklyn Park), some lots would be considered unbuildable due to setback requirements or because the lot sizes are too small based on Department of Natural Resources' shoreland regulations.

As proposed, if an existing non-conforming cabin or other structure is damaged more than 50 percent of its market value by fire, tornado or another disaster, the property owner would be allowed to rebuild, but not increase the size of a home or cabin in the same space. If there is room to conform to setback requirements, the new structure would be relocated on the lot to meet the standards.

— S. HEGARTY

Zoo seeks clean water funds

The Minnesota Zoo is requesting \$1.5 million from the state's Clean Water Fund to permanently improve the water quality of its central lake, which serves as a breeding ground for trumpeter swans.

HF2066, sponsored by Rep. Tara Mack (R-Apple Valley), would appropriate the money to make drainage improvements caused by "classic urban runoff," Zoo Director Lee Ehmke told the House Environment and Natural Resources Finance Division March 31.

The bill was laid over for possible consideration for Clean Water Fund usage. That recommendation is to be sent to the House Cultural and Outdoor Resources Finance Division.

A companion, SF1944 sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

The zoo proposes to work with students from the adjacent School of Environmental Studies to help monitor the lake's water quality. The plan also includes the planting of native vegetation and reuse of storm water runoff for irrigation purposes.

Ehmke said zoo attendance, which reached 1.2 million guests in 2008, is ahead of projected goals, due in large part to recent state capital investments that paid for new exhibits, such as Russia's Grizzly Coast. The grizzly exhibit incorporated an irrigation system that zoo officials would like to replicate in other areas.

— S. HEGARTY

GAMBLING

No recession for state lottery

Despite the recession, Minnesotans are still buying lottery tickets.

Don Feeney, Minnesota State Lottery research and planning director, told members

of the House State Government Finance Division on March 31 that the lottery is on track to break records this year, both for ticket sales and for profits to the state.

"This is unusual. This is not the case for most of the country," Feeney said, adding that lottery officials are not exactly sure why Minnesota's ticket sales are up at a time that many other state lottery sales are declining.

By the end of the current fiscal year, Minnesota is expected to sell \$483 million worth of lottery tickets and collect \$122 million in state revenues. Feeney also predicted that Minnesota would see its lottery sales and revenues increase in both years of the coming biennium.

Under state law, 60 percent of net proceeds from the lottery go into the state's General Fund, and the other 40 percent go into the Environment and Natural Resources Trust Fund. In addition, lottery ticket sales generate in-lieu-of-sales tax revenue to the state, with 36 percent going to the game and fish fund, 36 percent to the natural resources fund and 28 percent to the General Fund. Last year, these combined lottery revenues generated \$116 million for the state.

— N. BUSSE

HUMAN SERVICES

Youth violence prevention

Combating youth violence with a public health perspective is the focus of a bill approved April 1 by the House Health Care and Human Services Policy and Oversight Committee.

HF1328, sponsored by Rep. Paul Thissen (DFL-Mpls), would require the health commissioner to collaborate with other departments to identify five community-based violence prevention programs that work to: create connections between at-risk youth and trusted adults; intervene at the first signs a youth is at risk; and rehabilitate youth who have been involved in violence.

The programs would need to work with schools to keep students engaged and help prepare them for higher education and job training; teach self-respect and respect of others; provide mentorship and job placement; and parent and family intervention while teaching parenting skills.

The bill now goes to the House Finance Committee. A companion, SF1235, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Health and Human Services Budget Division.

Minneapolis Mayor R.T. Rybak said the city has seen a decrease in youth violence by instituting a similar program. Eighty percent of the children picked up for curfew

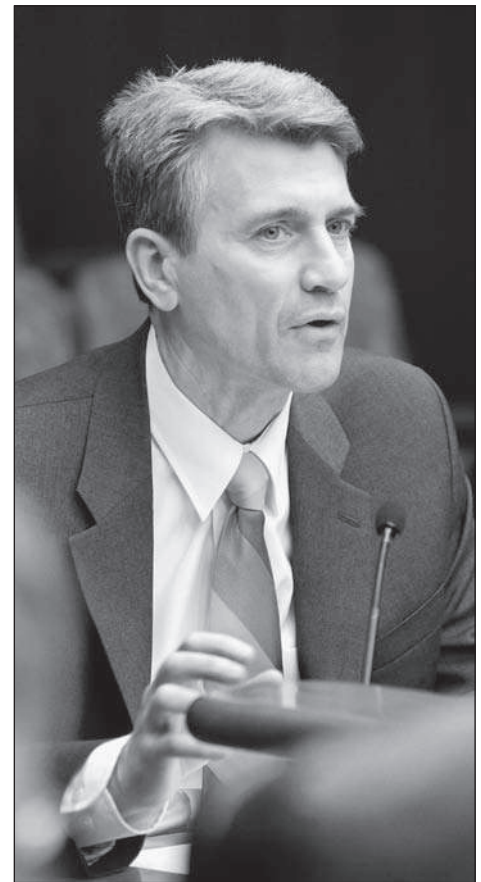


PHOTO BY ANDREW VONBANK

Minneapolis Mayor R. T. Rybak testifies April 1 before the House Health Care and Human Services Policy and Oversight Committee in support of a bill that would address youth violence as a public health problem, and coordinate and align prevention and intervention programs addressing risk factors of youth violence.

and truancy don't return to their centers, he said.

The public health approach means, "if you're involved in public health, you don't just bandage the wound, you try and understand how it got there in the first place," Rybak said.

"It is important that we have a coordinated system that addresses youth violence," Rep. Jeff Hayden (DFL-Mpls). "It affects us all," he added.

— P. OSTBERG

Related conditions expanded

Fetal alcohol spectrum disorder could be added to the list of related conditions that would qualify for Medical Assistance under disabled children's services.

HF581, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would add the disorder to the list of others currently defined as related conditions, such as cerebral palsy, epilepsy, autism and Prader-Willi syndrome.

The bill was approved March 26 by the House Health Care and Human Services

Policy and Oversight Committee and sent to the House floor. A companion, SF501, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the full Senate.

The change would only qualify those if other eligibility requirements are met and would bring more awareness to the condition, Hosch said.

Sara Messelt, executive director of the Minnesota Organization on Fetal Alcohol Syndrome, said the bill would give credibility to those with FASD and would cause social workers to give it a second look as a disability. About 8,500 babies a year are born in Minnesota with the incurable disorder, she said.

— P. OSTBERG

HUMANITIES

Cultural group funding proposed

Several cultural organizations have a better idea of what their budgets might look like now that a \$142.8 million omnibus bill has been introduced.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF2229 would provide money to the Minnesota Public Facilities Authority, Minnesota Historical Society, Science Museum of Minnesota and others. The funds expected from the Legacy Amendment — the three-eighths of 1 percent sales tax increase passed by state voters last November — are expected to come forward in the next few weeks.

“Our task was not an easy one,” Murphy said April 1 during the House Cultural and Outdoor Resources Finance Division, which she chairs. “It’s not what we all wished for, but it’s the reality of the day.”

While cuts were made in almost every area, some were not cut as much as in the governor’s budget proposal.

Things of note for the 2010-11 biennium include:

- \$45.3 million for the Minnesota Historical Society, which Murphy said is a 7.15 percent reduction;
- \$33.2 million for public libraries;
- \$20.6 million for Explore Minnesota Tourism, including money for the Snowbait film program;
- \$19.06 million for the Arts Board, which includes money for grants and art councils;
- \$3.9 million for public broadcasting, which includes public television and Minnesota Public Radio; and
- \$2.37 million for the Science Museum of Minnesota.

Amendments to the bill are scheduled to be heard April 6. There is no Senate companion.

— S. HEGMAN

LAW

Increased court costs possible

Representatives of the state’s judicial system have warned lawmakers about possible court closures, service reductions and other consequences of budget reductions.

Rep. Debra Hilstrom (DFL-Brooklyn Center) has offered a quartet of bills that could help alleviate funding concerns. The House Public Safety Finance Division held each over March 31 for possible omnibus bill inclusion.

“There will be fee increases. I’m quite sure of that,” said Rep. Michael Paymar (DFL-St. Paul), the division chairman. “It’s just the amount that hopefully we can all live with.”

To use the governor’s terminology, Hilstrom said she was offering some “revenue enhancers” that the division could choose from when compiling its omnibus bill. “I went to the courts and asked, ‘How much would this raise?’” She noted the governor signed a 2003 law that contained court fee increases.

In addition to the regular court filing fee, HF1540 would impose a \$1 per page charge on many court papers, including: initial documents filed in a civil action or marriage dissolution; certified copies from a civil or criminal proceeding; motion papers in a civil, family or guardianship case; and a judgment transcript. Proceeds would go into a special revenue fund appropriated to the Supreme Court.

Based on page counts from eight counties, the bill could bring in an additional \$3.98 million in fiscal year 2010 and \$5.31 million in each of the three ensuing fiscal years.

Rep. Paul Kohls (R-Victoria) does not oppose having court users contribute to operating costs; however, he is concerned that increased fees could hurt people with fewer resources.

“If I’m litigating a case, I could decide not to vigorously defend my client and only put in a four-page response to the plaintiff’s 25-page summary judgment motion with 400 pages of exhibits. I’m not sure I’d be doing a good job as a lawyer.”

The other bills offered are:

- HF1541, which would amend court filing fees and criminal surcharge amounts;
- HF1542, which would assess a \$50 public defender fee on all licensed attorneys, with the estimated \$1.6 million raised used to help fund public defenders; and
- HF1578, which would raise the public defender co-pay from the current \$28 to an unspecified amount. Hilstrom said doubling the amount would bring in about \$450,000 annually.

Sen. Leo Foley (DFL-Coon Rapids) sponsors companions (SF1786, SF1791 and SF1785) to the first three bills, while the public defender bill has no companion. The trio is included in an omnibus public safety bill, SF2018, sponsored by Sen. Mee Moua (DFL-St. Paul). It awaits action by the Senate Finance Committee.

— M. COOK

Partner wrongful death actions

Rep. Steve Simon (DFL-St. Louis Park) is trying to make more people eligible for an award when a loved one is wrongfully killed.

He sponsors HF1494, which would permit some domestic partners to be the beneficiary of a damage award resulting from a wrongful death suit.

“Right now, if a legally recognized spouse is wrongfully killed, like in a car accident, the surviving spouse can sue the person responsible and recover expenses, medical expenses, funeral expenses, etc,” Simon said. “This bill just updates and modernizes the law to provide same sex couples to recover costs after a wrongful death.”

However, Rep. Melissa Hortman (DFL-Brooklyn Park) successfully amended the bill to remove same sex domestic partners so the Legislature is “not creating a new equal protection problem to replace the existing equal protection problem we have in law.” The bill was approved March 27 by the House Civil Justice Committee and sent to the House floor.

Under the bill, domestic partners include people who:

- are adults and mentally competent to enter into legally binding contracts;
- have assumed responsibility for each other’s basic common welfare, financial obligations and well-being;
- permanently share a common domicile and primary residence with each other;
- have a committed interdependent relationship with each other, intend to continue that relationship indefinitely and do not have this type of relationship with any other person; and
- are not married to another person and have not entered into a domestic partnership arrangement that is currently in effect.

A companion, SF1321, sponsored by Sen. Linda Higgins (DFL-Mpls), has been incorporated into SF341, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth). It awaits action by the full Senate.

— M. COOK

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LOCAL GOVERNMENT

Mandate relief package

Local governments would have fewer state mandates to worry about under a proposal approved by a House division.

HF1849, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), would eliminate various minimum salary requirements for local governments and help them recover costs in certain circumstances.

Among the proposed changes are:

- providing two set times per year for new rules to take effect if they require local governments to change their ordinances;
- allowing towns to recover the full cost of employing “fence viewers” who help settle private land disputes;
- striking a \$10 cap on booking fees and allowing counties to recover the actual costs of booking;
- eliminating annual limits on the number of best-value contracts that may be entered into versus low-bid contracts;
- easing a requirement for counties to publish claims against them in local newspapers; and;
- removing minimum salary requirements for various county offices.

The House Local Government Division approved the bill March 30 and referred it to the House Finance Committee. Sen. Ann Rest (DFL-New Hope) sponsors the companion, SF1544, which awaits action by the Senate Rules and Administration Committee.

Rep. Ryan Winkler (DFL-Golden Valley) successfully amended the bill by removing a requirement that local governments report on their compliance with gender pay equity laws every five years instead of every three years. Opponents said the provision would send the wrong message about the importance of equal pay for male and female public employees. The provision was removed on a vote of 6-5.

Some of the bill’s provisions are also included in HF1195, sponsored by Rep. Morrie Lanning (R-Moorhead), which awaits action by the House Property and Local Sales Tax Division. That bill has no Senate companion.

— N. BUSSE

Rep. Roger Reinert (DFL-Duluth) sponsors HF938 that would allow state workers to apply to Minnesota Management and Budget for up to 40 hours of additional sick leave per year to receive treatment for veteran health issues.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill March 31 and referred it to the House State Government Finance Division.

Reinert said the issue was brought to him by a veteran who lives in Duluth and has to commute to the Twin Cities for treatments. The long drives force him to use more sick time than he has available, Reinert said.

Reinert added that the issue might grow more prevalent in coming years as state employees return from military service in Iraq and Afghanistan.

“There aren’t a lot of folks right now; it could be a growing issue though,” Reinert said, adding that MMB estimates the bill’s potential cost at approximately \$30,000 a year.

A companion, SF334, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), has been laid over for possible omnibus bill inclusion by the Senate State Government Budget Division.

— N. BUSSE

Medal recipients honored annually

Signed
by
the
governor

Minnesotans who have served in the United States military or naval forces and received the Congressional Medal of Honor will have their own day of honor.

A new law, signed April 1 by Gov. Tim Pawlenty, and effective the day after, designates March 25 as Medal of Honor Day in the state. On that date, the governor will issue a proclamation honoring this observance, which commemorates the issuing of the first medal on March 25, 1863.

The law is sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan).

SF236*/HF433/CH8

— L. SCHUTZ

SAFETY

A day to honor fallen firefighters

Peace officers and members of the armed forces who lose their lives in the line of duty are honored on certain days of the year; now, firefighters might get their own day of remembrance.

Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan) sponsor HF422/SF237* that would designate the first Sunday

in October as Fallen Firefighters Memorial Day. The bill specifies that Minnesota and U.S. flags on the Capitol grounds must be flown at half-staff on that day.

Obermueller said there is currently a national day to honor fallen firefighters, but that there is some confusion about how it applies to Minnesota. The bill would establish Fallen Firefighters Memorial Day as an official holiday in the state.

“This seems to be a narrow group of people who haven’t been recognized the way we would like them to be,” Obermueller said.

The bill awaits action by the full House after being approved March 31 by the House State and Local Government Operations Reform, Technology and Elections Committee.

The Senate passed the bill 62-0 on March 9.

— N. BUSSE

Omnibus bill proposed

A House committee has approved changes to predatory offenders, crime victims, courts, licensing of drivers, public safety and corrections.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), HF1301 was approved, as amended, March 26 by the House Public Safety Policy and Oversight Committee. The omnibus public safety policy bill, which contains nearly three-dozen bills, awaits action by the full House.

The bill takes aim at registered predatory offenders by prohibiting those on intensive supervised release from accessing or using instant messaging, chat room or social networking Web sites that permit minors to participate.

“It also clarifies that the registration period for a predatory offender restarts if they are arrested for a new offense or determined to have violated probation or parole,” Hilstrom said.

Three provisions would assist crime victims.

Under the bill, a prosecutor would be required to provide victims of criminal sexual conduct with information on civil protection orders. The statute already applies to domestic assault and harassment victims. It also increases from 12 to 24 hours the time an officer may arrest a person who the officer has probable cause to believe committed domestic abuse and expands the ability of judicial districts to create domestic fatality review teams.

A potential highlight of the courts section is the establishment of criteria to determine public defender eligibility based on the person’s income and severity of the charge.

For a misdemeanor, a defendant could

MILITARY

Extra sick time for some veterans

State-employed veterans who suffer from a service-related disability might be able to apply for extra sick leave in some circumstances, under a bill approved by a House committee.

receive the aid of a public defender if their annual income does not exceed 150 percent of federal poverty guidelines. The percentages increase to 175 percent for a gross misdemeanor and 200 percent for a felony. Under current law, a person or their dependent residing in the same household who receives “means-tested government benefits” is eligible for a public defender.

“We want to make certain we give lawyers for free to those who really can’t afford it, and those that can afford it pay,” Hilstrom said.

Included in the public safety and corrections portion of the bill is:

- a prohibition on retailers from selling any toy designed primarily for use by children under age 12 that has been recalled for safety related reasons;
- officers could use forcible entry into a home to return an escaped juvenile to custody;
- a public employer would be barred from considering the criminal history of an employment applicant until the applicant has been selected for an interview;
- creation of a gross misdemeanor penalty for a person possessing a device or substance used to enhance an animal’s ability to fight;
- a clarification that inmates convicted of assaulting a correctional officer must serve their additional sentence consecutively, not concurrently; and
- an amending of the trespass law to include entering any public or private area lawfully cordoned off by a peace officer.

What’s in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus public safety policy bill:

- HF130 – Bigham**
- HF145 – Hilstrom**
- HF166 – Sanders**
- HF509 – Hilstrom**
- HF1021 – Kelly**
- HF1043 – Johnson**
- HF1273 – Rosenthal**

— M. Cook

TAXES

Green Acres awaits signature

Awaiting action by the governor is a conference committee report that would update federal tax conformity and make changes to the Green Acres program.

The report on HF392, sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), was passed 130-3 by the House March 30 and 59-5 by the Senate April 1.

“I think we have a good compromise here,” said Rep. Paul Marquart (DFL-Dilworth).

“We think this program is better than what we currently have in place.”

In 2008, the Green Acres law was modified by changing the definition of land allowed in the program. As approved by the conference committee, the Green Acres program would now institute a rural preserve program, in which land could be placed if it is classified as “rural vacant land.” If signed into law, the Green Acres changes would not take effect until 2011.

“Rural preserve is a 10-year covenant which runs with the land, not the person,” said Rep. Al Juhnke (DFL-Willmar). This addressed one of many concerns of selling or transferring land which would have been subject to a back tax payback. To qualify for rural preserve, a conservation plan must be written. The covenant provision would take effect in 2013, which means people have until then to make a decision on what to do with the land.

But some members still didn’t think the new changes went far enough.

Rep. Rob Eastlund (R-Isanti) said while the changes are an improvement over last year’s changes, he was still disappointed.

“This is coming from the Senate,” he said. “You took what the Senate brought forward and modified it a little. It’s not the outcome I’d hoped for and not what most people would have liked to have seen. It doesn’t address the real issue, the need to take pressure off our farmers.”

Lenczewski said since the changes wouldn’t take effect until 2011, there would still be time to make other changes, but that something on the issue had to be done now and this was the compromise.

The federal tax conformity portion of the bill includes most changes implemented between February 2008 and Dec. 31, 2008.

Things that were removed are: a teacher classroom deduction and a provision that would prevent the governor from appointing anyone who has been convicted of a criminal violation of a federal or state tax or revenue law.

— S. HEGMAN

Commission advice becomes a bill

Expanding the state’s sales tax to necessities could become reality after a report from the Governor’s 21st Century Tax Reform Commission.

A result of the commission’s report is HF2263, sponsored by Rep. Ann Lenczewski (DFL-Bloomington). The 15-member commission, appointed last year by Gov. Tim Pawlenty, reported its recommendations to the House Taxes Committee April 1. No action was taken.

Based on those recommendations, the bill would raise cigarette taxes by as much as \$1 a pack and expand the state’s 6.5 percent sales tax to items like clothing, baby products, textbooks, caskets and burial vaults.

The additional sales tax would help offset almost \$1 billion in business tax cuts. Aimed at making Minnesota more competitive, the corporate income tax would be repealed and businesses would be offered other tax credits and exemptions.

Commission member John Spry, a University of St. Thomas business professor, said business taxes are inefficient and ultimately paid by consumers. He said consumers would be helped more by a healthy business climate.

“I’m smart enough to know that when you put 13 business people on a committee to figure out what to do with taxes, it’s going to come out with, ‘Cut business taxes,’” said



PHOTO BY ANDREW VONBANK

Rep. Paul Marquart, back to camera, answers a question from Rep. Paul Anderson during the March 30 floor debate on the Green Acres bill.

Rep. Tom Rukavina (DFL-Virginia). “You’re hammering unfairly with sales tax increases and cigarette tax increases on the very people who are paying a very disproportionate share of their income.”

According to the Department of Revenue, the bill would guarantee revenue neutrality by adjusting that state’s sale tax rates. Both the 6.5 percent general sales and the constitutionally dedicated three-eighths of 1 percent sales tax rate added last November would have to be adjusted to maintain revenue neutrality, based on projected revenue changes in fiscal year 2011. Based on preliminary estimates, the rates would fall to 6.387 percent and 0.311 percent, respectively, to put the combined sales tax rate at 6.698 percent. The constitutional amendment allows its dedicated sales tax to be adjusted in a revenue-neutral way for changes in the tax base.

There is no Senate companion.

—S. HEGMAN

TRANSPORTATION

Omnibus policy bill approved

A bill that its sponsor said could be a “world-record small transportation omnibus bill” was given a green light by a House division.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF928 was amended and approved March 27 by the House Transportation and Transit Policy and Oversight Division. It now goes to the House Transportation Finance and Policy Division.

Just five bills, which Hornstein said, “had no controversy attached to them,” were included in the original proposal:

- HF570, sponsored by Rep. Bobby Joe Champion (DFL-Mpls), which would prohibit certain acts at rest stops, including improper trash disposal and consuming or possessing open containers of alcohol;
- HF1088, sponsored by Rep. Marsha Swails (DFL-Woodbury), which would conform commercial driver’s license recordkeeping to federal standards;
- HF1191, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), which would broaden the capability of the Metropolitan Council to make loans to local governments to purchase homestead property in anticipation of a trunk highway project;
- HF1464, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), which would add two members from labor organizations involved in freight and commuter rail lines to a Transportation Department committee that provides commuter rail advice; and
- HF1672, sponsored by Rep. Jim Davnie (DFL-Mpls), which would prohibit driving

into an intersection until the vehicle can move completely through without blocking cross-traffic.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF1246 was amended to the bill on an 8-6 vote.

Often referred to as an expansion of the “Dimler amendment,” it would keep tickets for going up to 10 mph over the speed limit in a 55 mph or 60 mph zone off a person’s driving record. Currently that is only the case at 55 mph.

“This would change one thing — how speeding is recorded, and thus how much insurance companies charge on their premiums,” Urdahl said.

Opponents said that it would encourage speeding and aggressive driving.

State Patrol Maj. Michele Tuchner also countered Urdahl’s assertion that it would reduce the number of court cases.

“I would argue that it would actually increase the number of court trials because more people would attempt to go to court to get it pled down to an Urdahl, instead of a Dimler.”

— M. COOK

Governor approves federal dollar use

Signed
by
the
governor

The Department of Transportation can spend potential federal economic stimulus dollars.

Signed April 1 by Gov. Tim Pawlenty, and effective the next day, a new law will create a standing appropriation for MnDOT to spend any initial or future funds. Hundreds of millions of federal dollars are expected to be Minnesota bound for transportation purposes. The law expires June 30, 2013.

MnDOT officials said the law allows them to spend stimulus money even when the Legislature is not in session. Current statute prohibits the department from spending money without legislative approval.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the law also requires compliance with all federal requirements for the aid; orders department officials to “make every reasonable effort to seek and utilize” all funding available; permits no more than 17 percent of funds to be used for program delivery, such as engineering, right-of-way acquisition or environmental assessments; and deletes a state match for any aeronautics projects. Current state law requires a 20 percent local match for aeronautic projects.

HF1797*/SF1511/CH9

— M. COOK

Primary seat belt OK’d

Safety versus personal choice is again the common theme for supporters and opponents of a bill that would require all riders in a passenger vehicle to wear a seat belt, and extends the seat belt law to drivers and passengers of commuter vans, type III school buses and type III Head Start buses.

Drivers would be fined \$25 for each person under age 15 violating the seat belt use requirement. However, the \$75 surcharge statutorily put on criminal and traffic offenders would be reduced to \$25.

Cheri Marti, director of the Department of Public Safety’s Office of Traffic Safety, said states with a primary seat belt law have seen a citation increase, thereby offsetting some costs.

Sponsored by Rep. Kim Norton (DFL-Rochester), HF108 would also allow primary enforcement of the seat belt law, meaning a motorist can be stopped for the violation. Currently, a motorist must be stopped for another offense to be issued a no seat belt citation. People ages 11 and up can now ride in a back seat unbuckled.

Approved 10-9 by the House Transportation Finance and Policy Division March 31, and 9-6 by the House Public Safety Policy and Oversight Committee April 2, it awaits action by the House Finance Committee. A companion, SF42, sponsored by Sen. Steve Murphy (DFL-Red Wing), has been approved by two Senate committees and two divisions. It awaits action by the Senate Finance Committee.

Division testimony was limited to financial implications of the bill, although a couple of supporters did mention safety aspects.

“This will be fiscally responsible and it will save lives,” said St. Paul Police Chief John Harrington. There are about 200 unbelted deaths on state roads each year, with another 430 people suffering serious, life-altering injuries.

In addition to the state receiving \$3.4 million in federal funding for transportation safety programs, supporters said passing the bill would save \$11 million per year in hospital-related costs beginning next year.

Norton said a study using 2004-05 crash data showed that unbelted victims have hospital costs that are 60 percent greater than belted victims. “Taxpayers pay for those. Government resources, including Medicaid, were charged \$42 million a year for unbelted hospital charges in the years covered by that study.” She said the numbers do not include costs of outpatient treatment, specialists, follow-up care, rehabilitation or assisted-living care.

— M. COOK

Hopeful education goals in a dismal year

Omnibus bill addresses changing needs and future demands

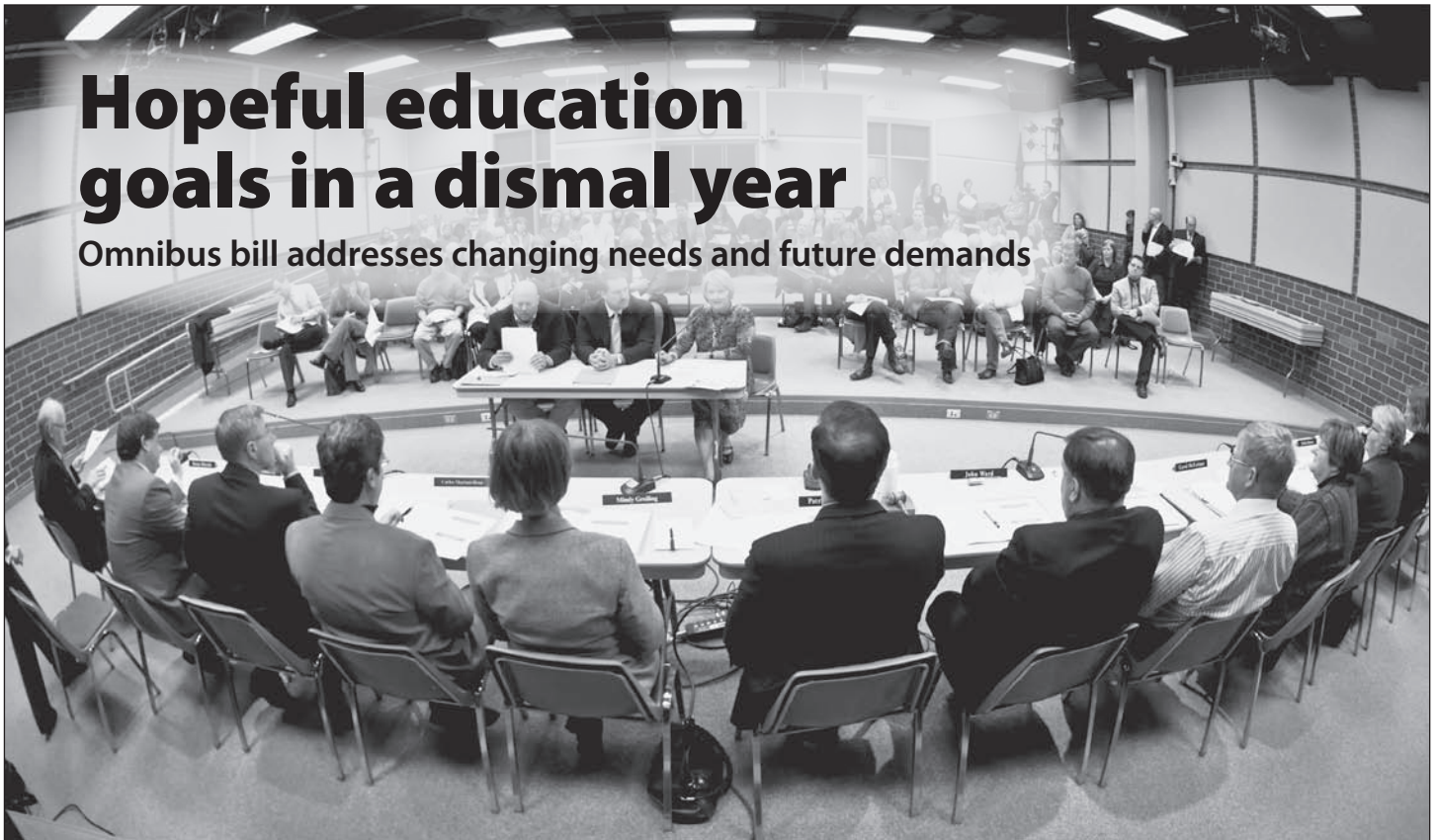


PHOTO BY TOM OLMSCHIED

Members of the House K-12 Education Finance Division listen to testimony from Farmington Schools Finance Director Jeff Priess, from left, Superintendent Brad Meeks and Assistant Superintendent Christine Weymouth during a March 31 hearing at the Farmington High School Little Theater. The division went on the road to discuss education funding in growing school districts.

By KRIS BERGGREN

In this dismal budget year, the House K-12 Education Policy and Oversight Committee crafted its omnibus bill with an eye to a more robust future.

Committee Chairman Rep. Carlos Mariani (DFL-St. Paul), who sponsors HF1179, said the state's changing economy characterized by new energy technologies, globalization and changing demographics "begs for us to deliver science, math, language and cross-cultural competencies in new ways with all kids, not just those who are already performing well."

The committee approved the bill March 26. After adopting some amendments, the House K-12 Education Finance Division laid the bill over April 1 for possible inclusion in its omnibus bill.

Incentive for innovation

The bill proposes "incentive revenue" for school districts to accomplish those goals. Starting in fiscal years 2014-2015, they would be required to use 5 percent of any increased basic revenue for research-based practices or curriculum shown to improve learning across the student spectrum. Mariani knows it's an unusual action and that there won't be extra revenue this year.

"For me it really has more to do with the policy of placing expectations. We're not going to simply put more money into K-12, we're going to drive new policy that attempts

to catch up with the changing nature of our student demographic and the changing demands of our economy."

Calming testing anxiety

Lots of time and money is invested in testing, such the Minnesota Comprehensive Assessment series. Such "snapshot" tests capture some useful data, including performance in a given year in a school or within a certain group or grade of students and create system-wide benchmarks, but other kinds of assessments capture data that's more useful to classroom teachers.

Proposed is a five-year grace period on the math Graduation Required Assessment for Diploma and an alternative path to graduation for the projected 38 percent of 11th graders who could fail the math GRAD they're scheduled to take this month. That would buy time for lawmakers to study the value of high

Education continued on page 23

Innovating property taxes

House division chair takes a stab at reform

By SONJA HEGMAN

Preaching on the platform of reform, Rep. Paul Marquart (DFL-Dilworth) said his plan to solve the state's property tax system might take a "leap of faith."

"We can't go down the same road again," said the House Property and Local Sales Tax Division chairman. "I don't see this getting better any time soon, and we can't keep shifting taxes and using one-time money."

Marquart presented his division's report, HF2020, March 30, March 31 and April 1. Approved by the division, it now moves to the House Taxes Committee where it will be considered for the omnibus tax bill. It has no Senate companion.

"This (report) has little or no property tax increases," Marquart said. "I think taxpayers are going to breathe a sigh of relief."

"You did significant bold reform," said Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman. "This is a plan that survives."

But with \$250 million in aid cuts, some might not like the plan.

"Cities and counties don't want this to happen to them," Lenczewski said. "They are in a really tough spot and expected to do heavy lifting for the state. We don't want to make cuts, but I think there's been an effort to create flexibility."

Among other things, local government aid and county program aid growth appropriations would be frozen at amounts paid in 2009.

Local option sales tax

In March, Marquart came forward with a plan to give counties a revenue option to offset cuts to county aid. The provision, included in the division report, would give counties the option to impose a half-cent local option sales tax.

"Counties will have to take a serious look at their revenue options. We have too many long-

term things working against us," he said.

Lenczewski has said this would be part of the foundation for the omnibus tax bill.

This portion of the bill would raise more than \$100 million this biennium and \$200 million next biennium. It would save some state cuts anticipated to local government aid, which is often used to pay for essential services, like police.

"I still have heartburn about the local option sales taxes," said Rep. Morrie Lanning (R-Moorhead). "There's no perfect solution to what we're facing. I look forward to discussions on this in the tax committee."

The half-cent sales tax option could be adopted by a majority vote of a county's commissioners.

The tax could be overturned in a countywide referendum that would take place if the greater of 10 percent of the county's registered voters or 500 people called for one. This is a change from the 5 percent and 300 people in the original draft of the bill.

Currently there are 23 cities with a local option sales tax. Any cities in counties that passed the half-cent increase would lose their local option sales tax, Marquart said. Counties would then be obligated to fund projects that had been funded through the city tax. Only three cities could be exempted from the elimination: Minneapolis, St. Paul and Duluth.

Counties that impose the tax would not be able to levy back cuts to county aid through property taxes, unlike counties that do not impose sales tax.

Marquart said that 26 other states allow this authority for counties and 20 states have a higher sales tax than Minnesota.

Working groups

Marquart created three working groups to focus on mandate relief, measuring the performance standards of local governments and creating benchmarks for evaluating property tax proposals.

Three bills were drafted from the working group meetings and are included in the report.

HF1195, sponsored by Lanning, would, among other things, eliminate property tax levy limits, impose a two-year moratorium on new maintenance of effort (MOE) requirements on local governments, and provide a mechanism for cities and counties to reduce their library spending MOE requirement. It would also establish a Legislative Commission on Mandate Reform to make recommendations to the Legislature on reforming or eliminating other local government mandates. It would expire in 2013. It has no Senate companion.

HF1201, sponsored by Marquart, would establish a Council on Local Results and Innovation to develop minimum standards for measuring the performance of local governments. The council would be charged with establishing approximately 10 measures to evaluate efficiency and effectiveness. The


"This (report) has little or no property tax increases. I think taxpayers are going to breathe a sigh of relief."

— Rep. Paul Marquart



standards would be voluntary; however, cities and counties that choose to adopt them would be eligible for per capita reimbursements and be exempted from levy limits and truth-in-taxation hearing requirements.

A companion, SF1603, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Rep. Denise Dittrich (DFL-Champlin) sponsors HF1261, which would create benchmarks, critical indicators and principles for legislators to use when evaluating property tax proposals. It would also establish a property tax working group. There is no Senate companion. 

Making technology accessible

Lawmakers want to open state Web sites to individuals who are deaf, blind or hard-of-hearing

By Nick Busse

Rep. Torrey Westrom (R-Elbow Lake) knows how frustrating it can be trying to access government information.

Westrom, who lost his eyesight in a 1987 car incident, uses his computer to read documents via software that converts text into speech. He can often be seen around the Capitol complex wearing a pair of headphones, using his laptop to read bills, answer e-mails and perform other routine legislative tasks.

While such accessibility software is becoming increasingly commonplace, the state's information technology systems are often not compatible with it. As a result, even Westrom, an elected official who works every day in the bustling nerve center of state government, has a difficult time accessing state Web sites, documents and other electronic media.

This year, Westrom co-sponsors a bill that he hopes will fix the problem and help open government information to a whole new audience.

HF1744, sponsored by Rep. Bill Hilty (DFL-Finlayson), would ask the Office of Enterprise Technology to develop a set of technology accessibility standards for the state. The goal is to ensure that future purchases of state computer hardware, software and other products are compatible with the latest accessibility software, such as text-to-speech programs.

"This doesn't have to be a costly measure," Westrom said. "It just has to be a procedure that we start adopting on the front end rather than asking afterwards, 'Oh, well how do we make this accessible for those that need accessible speech?'"

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill April 1 and referred it to the House Finance Committee.

A companion, SF1600, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State Government Budget Division.

The standards proposed in the bill wouldn't just be a boon to blind individuals; deaf people would benefit as well.

Sean Virnig, a school administrator and the founder of Northfield-based Rawland Cycles, said almost none of the videos available on state Web sites have been captioned. As a result, Virnig,

who is deaf, is unable to access recordings of legislative committee hearings, Supreme Court proceedings and other materials.

"Any obstacles along the way... can leave people with disabilities discouraged and unable to reap the benefits that e-government has to offer," Virnig said, speaking through a sign-language interpreter. He added that accessibility standards would have benefits for non-disabled individuals as well, including forcing state Web sites to properly organize their content.



Likewise, Chris Bell, a board member of the American Council of the Blind of Minnesota, said the state's aging population will likely benefit in coming years from the use of technology that enables people with hearing and vision problems to better access information.

Some state officials are concerned about the financial implications of any accessibility standards, however. John Lally, OET planning director, said that while his office supports the intent of the bill, they are concerned that the implementation cost could be "astronomical."

Depending on how the bill's language is interpreted, Lally said state IT staff might end up having to look "screen by screen" at every computer and software application in state government to determine whether it is in compliance with the standards — something OET doesn't have the staff to do.

"The intent is, I think, admirable. ... But creating an impossible standard for us to follow does not make sense," Lally said.

"This doesn't have to be a costly measure. It just has to be a procedure that we start adopting on the front end rather than asking afterwards, 'Oh, well how do we make this accessible for those that need accessible speech?'"

— Rep. Torrey Westrom

Of particular concern is the possibility that OET would have to analyze systems the state is currently using and make them retroactively compatible with the standards. Lally said this would be impossible

with many of the state's aging software applications.

Mary Hartnett, executive director of the Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans, rejected that possibility. Noting that the bill provides for the standards to be set by a new advisory committee that includes the state's chief information officer, Hartnett argued OET would play a role in setting the standards, and could shape them in a way that places no undue burden on the state. 🏛️

Monday, March 30

HF2203-Clark (DFL)

State & Local Government Operations Reform, Technology & Elections

Landlords prohibited from limiting posting of campaign material in the window of a tenant's residence.

HF2204-Marquart (DFL)

Taxes

Property tax refund enhanced and market value homestead credit reduced.

HF2205-Hansen (DFL)

Public Safety Policy & Oversight

South St. Paul; Special School District No. 6 authorized to contract with South Metro Fire Department for fire inspection services.

HF2206-Lieder (DFL)

Transportation & Transit Policy & Oversight Division

Rehabilitation requirements specified for certain repeat impaired driving offenders as a condition for a limited license to drive to work.

HF2207-Lieder (DFL)

Transportation & Transit Policy & Oversight Division

Waiting period specified for issuance of a limited license following a non-driving violation of the no alcohol requirement of a conditional driver's license.

HF2208-Hilstrom (DFL)

Taxes

Tax increment financing district limitations amended.

HF2209-Fritz (DFL)

Taxes

Faribault; wastewater treatment facility construction materials sales tax exemption provided.

HF2210-Smith (R)

Finance

Westonka; ISD 277 energy efficiency funding provided.

HF2211-Persell (DFL)

Finance

Beltrami County; jail energy-efficiency improvements funding provided.

HF2212-Doepke (R)

Finance

Three Rivers Park District; Dakota Rail Regional Trail grant funding provided.

HF2213-Howes (R)

Environment Policy & Oversight

Permit requirements and fees modified for fishing contest permits.

HF2214-Abeler (R)

Finance

Facilitated postsecondary enrollment options pilot program established.

HF2215-Abeler (R)

Finance

Anoka County; Trunk Highway 47 maintenance authorized.

HF2216-Abeler (R)

Finance

Anoka County; local match to federal aid funding provided for adding a lane to a portion of Trunk Highway 10.

HF2217-Dill (DFL)

Taxes

Cook County; local sales and use tax and bonding authority limit for certain projects modified.

HF2218-Kahn (DFL)

Taxes

Sales and use tax exemptions modified to include event souvenir clothing.

HF2219-Loon (R)

Taxes

Tax credit provided for certain health insurance premiums.

HF2220-Abeler (R)

Finance

Commuter rail extension between Minneapolis and St. Paul feasibility study required.

HF2221-McNamara (R)

Environment Policy & Oversight

Bow fishing to take rough fish restrictions modified.

HF2222-Davids (R)

Finance

Caledonia; Trunk Highway 76 interchange funding provided.

HF2223-Davids (R)

Finance

Caledonia; sewer line design and construction funding provided.

HF2224-Marquart (DFL)

Finance

School district authority modified to issue and sell certain general obligation bonds without voter approval, and levy authorized for certain other postemployment benefits.

HF2225-Solberg (DFL)

Finance

St. Paul; Hibbing; Grand Rapids; progressive development and employment opportunities grant funding provided.

HF2226-Haws (DFL)

Finance

Local government units encouraged to participate in inter-local service sharing agreements in the delivery of public safety services.

HF2227-Hilty (DFL)

State & Local Government Operations Reform, Technology & Elections

Board of Innovation reestablished; board powers and duties imposed.

HF2228-Ward (DFL)

Health Care & Human Services Policy & Oversight

Information displayed prior to an abortion established, wrongful death action added, and civil and criminal penalties provided.

HF2229-Murphy, M. (DFL)

Finance

Library funding provided from General Fund.

HF2230-Murphy, M. (DFL)

Finance

Low referendum districts funding increased.

HF2231-Nelson (DFL)

Transportation & Transit Policy & Oversight Division

Road authorities allowed to remove snow from certain roads in uncompleted subdivisions.

HF2232-Carlson (DFL)

Finance

Minnesota Planetarium appropriation extended.

HF2233-Clark (DFL)

Civil Justice

Stay of mortgage foreclosure proceedings allowed under conditions and tenant rights of foreclosed property provided.

HF2234-Dittrich (DFL)

Taxes

Seasonal-recreational land leased.

HF2235-Clark (DFL)

Finance

Drinking water source protection funding provided.

HF2236-Sertich (DFL)

Finance

Chisholm-Hibbing Airport improvement funding provided.

HF2237-Hosch (DFL)

Commerce & Labor

Residential construction board authorized to establish a subcommittee on continuing education, compensation of subcommittee members provided, course approval requirements changed, approval allowed after courses are commenced or completed, online courses authorized and fees changed.

HF2238-Hosch (DFL)

Agriculture, Rural Economies & Veterans Affairs

Veteran preference in hiring and dismissal from state and local government employment expanded by applying current veterans' preference law to teachers.

HF2239-Garofalo (R)

Finance

General education revenue increased by \$51 per pupil unit, state reimbursement increased for school lunch meals from 12 to 18 cents per meal, aid portion of integration revenue eliminated and school desegregation rule repealed.

HF2240-Garofalo (R)**Taxes**

Application date changed to the metropolitan agricultural preserve program.

HF2241-Hansen (DFL)**Finance**

Environmentally responsible arts education projects funding provided.

HF2242-Dill (DFL)**Environment Policy & Oversight**

Seizure and forfeiture of certain off-highway vehicles provided, operating restrictions modified for all-terrain vehicles and criminal penalties provided.

HF2243-Clark (DFL)**Health Care & Human Services Policy & Oversight**

Minnesota Legislature memorialized to support smoking cessation efforts among native people.

Wednesday, April 1

HF2244-Davids (R)**Civil Justice**

Deceased professional's surviving spouse permitted to retain ownership of a professional firm that was solely owned by the decedent for up to one year after the death.

HF2245-Bunn (DFL)**State & Local Government Operations Reform, Technology & Elections**

Study of inclusion of school district employees in the state employee's group insurance plan by the commissioner of finance required.

HF2246-Reinert (DFL)**State & Local Government Operations Reform, Technology & Elections**

Dog park matching grant program established.

HF2247-Hilstrom (DFL)**Finance**

Homelessness prevention and safer homes and neighborhoods accounts established and report required.

HF2248-Dill (DFL)**Finance**

Environment and natural resources funding provided.

HF2249-Scalze (DFL)**Finance**

Metropolitan regional parks funding provided.

HF2250-Murphy, M. (DFL)**Commerce & Labor**

Carlton County; Thomson Township wine and malt liquor license issuance authorized.

HF2251-Solberg (DFL)**Finance**

Federal stimulus oversight funding allocated for certain state agencies.

HF2252-Dean (R)**Finance**

Commissioner of transportation directed to construct paved apron at certain intersections.

HF2253-Dill (DFL)**Taxes**

Lawful gambling tax provisions modified.

HF2254-Doty (DFL)**Taxes**

Little Falls; food and beverage tax extended.

HF2255-Loeffler (DFL)**Finance**

Minneapolis; Sheridan Veterans Memorial Park on the Mississippi River funding provided.

HF2256-Laine (DFL)**Health Care & Human Services Policy & Oversight**

Health care availability and affordability guaranteed for every Minnesotan, Minnesota Health Plan, Health Board, Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy and inspector general for the Minnesota Health Plan established.

HF2257-Winkler (DFL)**State & Local Government Operations Reform, Technology & Elections**

State government duties assign relating to internal controls and internal auditing.

HF2258-Thissen (DFL)**Finance**

Complementary and alternative medicine demonstration project implementation required to provide integrated services to state health care program enrollees with neck and back problems; report required.

HF2259-Davids (R)**Finance**

Spring Grove; arts and education grant project provided.

HF2260-Clark (DFL)**Finance**

East Phillips Cultural and Community Center funding provided for a cultural fitness and wellness center.

HF2261-Dettmer (R)**K-12 Education Policy & Oversight**

Special education burden of proof adjusted in due process hearings.

HF2262-Loeffler (DFL)**Finance**

Forest protection funding provided for an invasive pest early detection system.

HF2263-Lenczewski (DFL)**Taxes**

The Governor's 21st Century Tax Reform Commission recommendations adopted; tax bases, credits and rates modified, and corporate franchise tax repealed.

HF2264-Persell (DFL)**Finance**

Deer River; regional community facility funding provided.

HF2265-Howes (R)**Finance**

Mississippi Headwaters Board funding provided.

HF2266-Reinert (DFL)**Finance**

Lake Superior Center Authority abolished and all assets related transferred to the facilities and operations of the Lake Superior Center to the Board of Regents of the University of Minnesota.

HF2267-Reinert (DFL)**Finance**

Duluth; Great Lakes Aquarium grant provided to pay debt.

HF2268-Mahoney (DFL)**Finance**

Ramsey County; chain of lakes master plan funding provided.

HF2269-Slawik (DFL)**Finance**

Words Work grant provided for early childhood literacy.

Thursday, April 2

HF2270-Downey (R)**State & Local Government Operations Reform, Technology & Elections**

Legislative Audit Commission and the commissioner of finance duties assigned relating to financial management and internal controls.

HF2271-Abeler (R)**Finance**

Health licensing boards funding provided.

HF2272-Davids (R)**Finance**

Ground fuel storage grant funding provided.

HF2273-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Dental professional licensure provided.

HF2274-Lesch (DFL)**Taxes**

Film investment credit provided.

HF2275-Morgan (DFL)**Transportation & Transit Policy & Oversight Division**

Sioux Trail Transit Way designated and Metropolitan Council required to conduct Sioux Trail Transit Way feasibility study.

HF2276-Kelly (R)**Finance**

Lake City; ISD 813 funding provided for lighting and sound equipment.

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

Education continued from page 18

stakes tests and to hammer out a long-term solution, such as end-of-course examinations, acceptable to all parties, including the governor, who opposes the alternative path.

Rep. Randy Demmer (R-Hayfield) unsuccessfully sought March 26 to strike the provision.

"I was concerned about us veering away from our resolve to get assessments of our kids that had meaning," Demmer said later. "I honestly believe that if we don't give tests meaning and purpose, make these tests high stakes, we're not going to get good data because students won't take them seriously."

The bill would also implement computer adaptive testing starting in the 2010-11 school year for grades 3-8, which uses interactive technology to adjust a test to the ability of the test taker and allows results

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus education policy bill:

HF106 - Swails
HF320 - Dettmer
HF462 - Urdahl
HF501 - Mariani
HF523 - Bigham
HF553 - Dittrich
HF898 - Hornstein
HF1037 - Swails
HF1186 - Mariani
HF1179 - Mariani
HF1212 - Brown
HF1430 - Mariani
HF1441 - Brynaert
HF1484 - Kath
HF1538 - Mariani
HF1621 - Davnie
HF1630 - Kalin
HF1701 - Newton

to be quickly used by a classroom teacher to identify and correct instructional gaps. The proposal could save school districts money by eliminating duplicative testing.

Schools could expand their use of growth model assessments, in addition to those measuring proficiency and yearly progress. Students would be measured against their own performance and growth between two or more points in time which can show they're making progress, even if they're not fully proficient.

Boosting teacher quality

The bill calls for teacher professional development for re-licensure based on job-embedded, reflective, evidenced-based methods of improving classroom practice, not just on logging a certain number of hours. It also links Q Comp to evidence of effective practice, which Mariani predicted could prove thorny as the bill progresses, as the governor strongly prefers to link Q Comp to student outcomes.

Special education

State special education provisions would align more closely with federal laws and rules. For example it would shift the burden of proof in a due process consideration from the district to demonstrate it is complying with the law to the party seeking relief. It would also repeal the requirement that school districts provide special education services for nonpublic school students, as well as the use of some restraint and isolation procedures,

replacing them with updated interventions that trained staff would use to manage aggressive student behavior.


Rep. Carol McFarlane (R-White Bear Lake) had moved March 26 to strike that provision, but was pleased her amendment prompted stakeholders to hammer out a compromise.

"I would suggest that after amendments that were made today we're heading in the right direction," she said after the April 1 hearing. "I appreciate that people have been willing to come together to make good policy."

Capacity building

Other provisions involve capacity-building and policy analysis with a wide view of education policy across the educational spectrum. One would add four legislators to the P-20 Partnership, an existing think-tank on education policy involving stakeholders beyond K-12 silos. Another would direct the independent Office of Educational Accountability to report to the Legislature on statewide educational accountability information.

Not included in the bill is charter school reform legislation, introduced separately as HF935, sponsored by Rep. Linda Slocum (DFL-Richfield), nor education mandate reductions, the subject of HF920, sponsored by Rep. Tom Tillberry (DFL-Fridley).

A companion bill, SF1253, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate E-12 Education Budget and Policy Division. 

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— M. Cook

Sources: Minnesota Twins 2009 Media Guide; Minnesota Amateur Baseball Hall of Fame; Minnesota Senior Men's Amateur Baseball Association; Minnesota High School Baseball Coaches Association.

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